

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Xanoptix, Inc.  
n/k/a Cubic Wafer, Inc.

v.

Civil No. 08-cv-228-JL

Mintz, Levin, Cohn, Ferris,  
Glovsky and Popeo, PC

O R D E R

The Preliminary Pretrial Conference was held in chambers on  
**July 21, 2008.**

The Discovery Plan (document no. 8) is approved as  
submitted.

By agreement of the court and the parties, the following are  
**stricken** without prejudice to being asserted later upon  
evidentiary support:

- the following affirmative defenses: #4 (waiver) and #6  
(estoppel).

**SO ORDERED.**

  
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Joseph N. Laplante  
United States District Judge

Dated: July 21, 2008

cc: Andrew B. Livernois, Esq.  
William C. Saturley, Esq.